

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

MARY TONEY

PLAINTIFF

VS.

NO. 4:05CV000929 JMM

IC CORPORATION

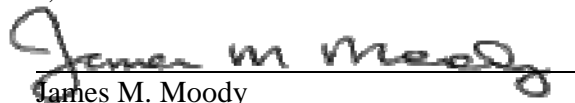
DEFENDANT

AMENDED ORDER

Based upon the Court's review of the plaintiff's pending motion to compel and plaintiff's response, the motion is denied (#18).

The Court finds that (1) defendant has fully responded to Interrogatory No. 10 by providing the name and race of every employee who had been terminated for violating Article 18.04(a) of the collective bargaining agreement from October 4, 2202 to October 4, 2004; (2) Interrogatory Number 12 is overly broad, burdensome and requests information that will neither be relevant nor reasonably calculated to lead to the discovery of admissible evidence related to disciplines for violations of Article 18.04(a); (3) plaintiff's Interrogatory Number 14 is not reasonably calculated to lead to the discovery of admissible evidence related to disciplines for violations of Article 18.04(a) because the treatment program has never been offered to any employee found to have violated Article 18.04(a) and plaintiff's request invades the privacy of third parties unnecessarily; (4) to the extent that plaintiff's Request for Production No. 2 is in effect an additional interrogatory resulting in plaintiff exceeding the permissible number of interrogatories under the Federal Rules of Civil Procedure, defendant objection is sustained; and (5) to the extent that plaintiff's Request for Production No. 2 seeks actual documents, defendant has complied with the request.

IT IS SO ORDERED this 20 day of October, 2006.


James M. Moody
United States District Judge